Carpenter, Matthew

From:	Shea, Kate
Sent:	Wednesday, March 21, 2012 4:22 PM
To:	Carpenter, Matthew
Subject:	FW: AN ACT CONCERNING THE CROSS-ENDORSEMENT OF CANDIDATES FOR PURPOSES OF MINORITY REPRESENTATION.
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From: Breslin, Katie
Sent: Wednesday, March 21, 2012 4:18 PM
To: Shea, Kate
Subject: FW: AN ACT CONCERNING THE CROSS-ENDORSEMENT OF CANDIDATES FOR PURPOSES OF MINORITY REPRESENTATION.

Did you get this today?

From: Jordan, Laura
Sent: Wednesday, March 21, 2012 3:39 PM
To: Breslin, Katie
Subject: AN ACT CONCERNING THE CROSS-ENDORSEMENT OF CANDIDATES FOR PURPOSES OF MINORITY REPRESENTATION.

Hi Kate - This testimony is from Matt Knickerbocker from Bethel. Can you please accept this on behalf of GAE? Thanks.

Laura

Dear Committee Members:

I am writing to you today to express my strong support for Raised Bill No. 5532, "An Act Concerning the Cross-Endorsement of Candidates for the Purpose of Minority Party Representation". This act will correct a serious flaw in Connecticut's Minority Party Representation statute which permits manipulation of that statute and subverts minority party representation, allowing one major party to dominate 100% of the seats on any given elected board or commission.

Background:

As committee members are well aware, the intent of the minority party statute is to insure that even in lopsided elections, the "losing party" is insured a minimal number of seats (1/3), thereby giving the minority party at least a voice in governmental proceedings. It is important to note that in such cases, the

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majority party still retains a "super majority" (2/3). In such cases, the minority party still has insufficient votes to influence any outcome, but retains the ability to participate in the proceedings.

There is a clever way to sidestep the minority party rule, however, which involves a major party (Republican or Democratic) mutually cross endorsing candidates from a local third or special interest party with which it is politically and philosophically aligned, so that the candidates from both parties appear on both party lines. The effect of this action is nearly always to give the third party candidate the status of the "minority party representative," even in cases where the "second place" major candidate receives significantly more votes than the third party candidate. The third party candidate then assumes the seat designated for the "minority" party, even though that candidate is there exclusively by virtue of the votes derived from the major party line.

Example:

As an example, let us assume there is an election in which all seats on a seven member board are open. The minority party representation law would dictate that regardless of the vote total, the winning major party would be able to win up to five of those seats, while the second place major party would be insured to receive two, thereby preserving the minority voice on the panel.

This can be avoided by the following;

- Major party A registers the maximum of five candidates, one for each eligible seat.
- Major party B also registers five candidates.
- "Third party C" registers two candidates.
- Major party A and Third party C then mutually cross endorse each others candidates, with Major party A candidates appearing on line C, and Third party C candidates appearing on line A (occasionally, major party candidates will actually resign their party affiliations as the date for municipal elections approaches and join the third party expressly for the purpose of blocking candidates from the competing major party).

The outcome:

In the above example, candidates from Major party B must overcome the combined vote total in order to win the seat. Often, the B candidate will out-pole the A candidate, but then lose to the third party candidate when those votes from the third party line are added. The third party candidate is then considered to be the "minority party" representative, even though close to 50% of the votes may have gone to the candidate on line B.

In actual practice in the town of Bethel, we have seen the candidates from one of the major parties receive up to

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48% of the total votes cast for a given town board, yet not win a single seat because of the effective manner in which minority party law is sidestepped. This has the effect of depriving voters of their legitimate choice of representation and vastly distorts the influence of minor parties, sometimes having no more than a handful of members. Both major parties have used this tactic over the years.

To make matters worse, F.O.I rulings in recent years have allowed board members who have been crossed endorsed by multiple political parties in this manner to caucus privately with as a group. This literally gives them the ability to have an entire board to meet in total secrecy, away from the public and press.

The solution:

RB-5532 contains a simple fix that corrects this flaw in the minority party statute by simply declaring that in cases of multi-party cross endorsements, the candidate will be considered to be a member of the political party line that contributed the highest vote total. This change will continue to allow any and all manner of multi party cross endorsements, thereby giving third party candidates an opportunity to run for office with the support and endorsement of a major party, yet preserves the intent of the original minority party law and insures voters will receive the representation they are entitled to in local elections.

I strongly endorse this bill, and I thank you for your consideration.

Sincerely,

Matthew S. Knickerbocker

First Selectman

Town of Bethel

3/22/2012